

NATIONAL COORDINATORS MEETING
March 8-10, 2005 - Tucson, Arizona
Written Report

Border 2012
Emergency Preparedness and Response Border-Wide Workgroup

I. Background

Annex II of the La Paz Agreement established a Joint Response Team (JRT). The JRT, co-chaired by the U.S. Environmental Protection Agency (EPA) and Procuraduría Federal de Protección al Ambiente (PROFEPA), includes representatives from U.S. and Mexico federal, state and local agencies responsible for emergency prevention, preparedness, and response in the border area. Annex II required the JRT to develop a Joint Contingency Plan (JCP) that established cooperative measures for preparing and responding to oil and hazardous substance incidents along the border, including emergency response planning, exercises, and training. The JCP provided the foundation for the fourteen Sister City Binational Emergency Response Plans that have been developed over the last several years.

Border 2012 created the Emergency Preparedness and Response Border-Wide Workgroup (BWWG) to coordinate and implement Border 2012's Goal #5 and its 3 objectives. The BWWG essentially functions as the Steering Committee of the Joint Response Team.

Border 2012 Goal #5: Reduce exposure to chemicals as a result of accidental chemical releases and/or acts of terrorism

- **Objective 1:** By 2004, a chemical emergency advisory/notification mechanism between Mexico and the United States will be clearly established.
- **Objective 2:** By 2008, all 14 sister cities joint contingency plans will be in place and operating (including exercises), with the establishment of bi-national committees for chemical emergency prevention (or similar border forums).
- **Objective 3:** By 2012, 50% of sister city joint contingency plans will be supplemented with preparedness and prevention related efforts, such as risk and consequence analysis, risk reduction, and counter-terrorism.

The BWWG's main 2005 priorities are to invigorate the JRT and revise the JCP. The JCP will contain updated protocols to ensure that notification of polluting incidents in the border area promptly reaches emergency response officials so that effective mitigation and response actions can be taken. The revised JCP will also address issues such as the facilitation of cross border equipment and personnel to support binational preparedness, training, exercises and response actions.

II. BWWG Partners

US Environmental Protection Agency (EPA)

US EPA Washington	Dana Tulis, Co-Chair
	Mark Mjoness
	Beatriz M. Oliveira
US EPA Region 6	Ragan Broyles
	Valmichael Leos

US EPA Region 9

Daniel Meer
Kathryn Lawrence
Lauren Volpini

Procuraduría Federal de Protección al Ambiente (PROFEPA, México)

Dr. Gerardo Alvarado, Co-Chair
Ing.. Enrique Ortiz
Ing. José Alvarez Rosas

Secretaria de Gobernacion, Coordinación General de Protección Civil

Lic. Carmen Segura, Coordinadora General
Lic. Lourdes Cordero, Directora CENACOM

III. Accomplishments - 2004

Both EPA's Office of Emergency Management (OEM) and PROFEPA underwent significant reorganization at the management and staff levels in 2004. The BWVG first met in January 2005 and requested Protección Civil to become a formal BWVG partner. Discussions among the three agencies focused on the role of the BWVG and necessary revisions to the U.S.-Mexican Joint Contingency Plan (JCP). It was agreed that the BWVG would serve as the **Steering Committee** of the Joint Response Team (JRT). Key items to be revised in the JCP are the notification system and adding a Memorandum of Agreement (MOA) with US Customs/DHS/Mexico Aduanas to expedite emergency border crossings. It was agreed to hold a Joint Response Team Meeting in mid-2005 involving all partners – local, state, regional and other federal agencies. Development of a work plan and necessary preparations for the National Coordinators Meeting were also completed. In the Reynosa-McAllen, México developed a response to a terrorist chemical attack exercise where emergency response groups from US and Mexico participated. Previous to the exercise, US and Mexican specialists provided a training workshop for the Mexican Emergency Response Groups.

Reimbursement and Insurance Coverage for U.S./Mexico Cross-Border Emergency Response. At the Border 2012 National Coordinator's Meeting in Matamoros, Mexico, December 2003, local emergency responder funding and insurance coverage for cross border responses were identified as a border-wide priority.

OEM with the assistance of EPA Region 9, and in consultation with EPA Region 6, has articulated and researched the issues and is moving towards problem resolution. After identifying appropriate insurance coverage and establishing a pilot phase of this program, the EPA regions would enter into Cooperative Agreements with local border governments to provide emergency response technical assistance on behalf of EPA in Mexico, where there is a potential or actual threat to U.S. human health and the environment. Under the agreements, assistance could be provided when the following conditions are met:

1. Where the U.S. jurisdiction maintains current binational emergency response plans and,
2. Upon the request of the Government of Mexico and under EPA authorization.

IV. Priorities - 2005

All of the BWVG's priorities for 2005 address Goal No. 5. US sources of funding may include resources available under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Oil Pollution Act (OPA), and Homeland Security accounts. There is

no Mexican funding specifically available for Border 2012 emergency preparedness and response. EPA's Office of International Affairs (OIA) and the Regions will continue to award funding under the Border Grant Program, explore fundraising opportunities for other agencies and organizations can compete for funding projects that meet Border 2012 Goals and Objectives.

Revise the Joint Contingency Plan (JCP). The revised JCP will include "all hazards" such as radiological, biological and, oil releases; reflect changes in the National Response Plan (and new Mexican response protocols); and ensure coordination with other federal, (Departments of Homeland Security, State, and Transportation), and state and local agencies. The expected outcome is a comprehensive plan at the federal level that allows for effective bi-national cooperation to protect health, safety and the environment. This project addresses Objective 2.

Revise the notification system between Mexico and the United States. The federal, state, and local notification system needs to be updated with current contact lists and new Standard Operating Procedures (SOPs). The new notification system needs to be tested, exercised, and included in the Sister City plans. These revisions will enhance bi-national preparedness and improve communications in the event of a polluting incident. This effort will enhance health and safety for both Mexican and U.S. citizens. This project addresses Objective 1.

Research Cross Border Insurance Coverage for State and Local Responders. USEPA will identify insurance coverage options and initiate a pilot program to develop and enter into Cooperative Agreements with selected U.S. local governments. The Cooperative Agreements would authorize local government to purchase insurance for cross border response actions and reimburse them for costs incurred when an incident warranting their assistance presents. Currently, most US local emergency responders are unable to cross into Mexico to provide support in the event of a border release because they lack insurance coverage and funding. Freedom from liability and cost reimbursement concerns will allow them to cross over in time to help mitigate an incident before it becomes a disaster. This project addresses Objective 2.

Facilitate USEPA cross border response w/ US and Mexico Customs via an MOA and SOPs During exercises and actual incidents, U.S. EPA responders and their contractors need to cross the border in their vehicles, carrying response related equipment. Currently, there is no protocol to expedite their crossing and to protect their vehicle/equipment. The BWWG will work with U.S. and Mexican Customs (Aduana) to facilitate an official Memorandum of Agreement (MOA) and Standard Operating Procedures (SOPs). This project addresses Objective 2.

Personal Protective and Response Equipment Local Mexican emergency responders are in urgent need of safety equipment to protect themselves and be able to effectively respond to a polluting event in the border area. The BWWG will explore ways of obtaining and providing necessary personal protective and response equipment. This project addresses Objective 3.

Hold Initial and follow-up BWWG Meetings – Hold a 2005 Joint Response Team Meeting Initial BWWG meetings have been held; new group members updated each other on programs and priorities, exchanged information and discussed opportunities for coordination. In addition to meeting at the NCM in March, the BWWG will meet in April/May in order to plan for a Joint Response Team Meeting in June/July. The JRT will include local, state, regional and federal emergency response partners and will be held in the San Diego/Tijuana area.

Training for Mexican Emergency Responders. Provide training for Mexican Emergency Responders by US specialists through a binational program.